G. R. S. IX-5]

Reserve

Previous references.
GO No 1932-85 dy 16-3-1904
dy 137-02
cts 144-18(1-8 & 10)
" 75-19(1-2)
~~Later references.~~
" 319-12(3-4)
" 87-13(1-4)
" 167-15(1-5)
" 87-13(5-8)
Later prefix
cts 75-19(12, 13)
" 35-20 (1+2)
cts. 50-20 (7-12)

File No. 75-19

1919. (cts)

W.D. 20.11

Serial Nos. 3 65, 8, 9, 10, 11.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. Seven

Part B for March 1920.

SUBJECT.

Services of the Govt Advocate or the Public Prosecutor to conduct the Sandalwood theft-case in Kolar dist.

Ll 11) 20. The Dist magte, Kolar
WO dy 17740 dy 2.2.20.
Invites attention to GO WO dy
16927 dy 23 Jany 920 dl 9 directg
that no Managemasan Naidu Brothers
Bangalore Dn. may be asked to conduct
the prosecution work

W D 1250—GPB—30,000—25-1-19

Sir
26/3

G. R. S. III—1] 1919.

GENERAL AND REVENUE SECRETARIAT.

(Courts)

NOTES.

File No. 75-19

FILE HEADING.

Services of the Government Advocate or the Public Prosecutor to conduct the Sandalwood Theft Case in Kolar District.

From

The District Magistrate, Kolar District.

No. R. J. C 573/1879 Dated the 17th Nov 19 Received on 21-11-19.

Diary No.	Enclos.	Spare Copies.	Serial No. 3

BRIEF ABSTRACT OF LETTER.

Recommends that a fee of Rs 50/- per day with the usual travelling allowance may be allowed to the Public Prosecutor Bangalore Division to conduct the prosecutions on behalf of Government in Sandalwood Theft Cases of Chintamani & Mulbagal.

NOTES AND ORDERS.

4. Wire from the Dt. Magistrate, Kolar District requests that early orders may be passed as regards the sanction of fee to the Public Prosecutor demanded.

The Services of the Public Prosecutor, Bangalore Division, have are placed at the disposal of the Dt. Magist

NOTES—First Sheet.

G. R. S. III-2]

General and Revenue - Secretariat.

Ch File No. 75 of 1919.

Serial No.

Flag A

to conduct the prosecution in the case referred to, in G. O. no. G. 8885-6/ch 75-19-2 dt 18-10-19.

2) The Ch magistrate has now intimated that the Public prosecutor demands a fee of not less than Rs 5 per diem and that the demand is proper considering the nature of the case

Submitted for orders.

dt 21/11/19

3) Please peruse
1) ch 212-18
2) ch 167-15, 155-15
3) ch 319-12
4) ch 87-13
in which higher fee than those allowed in rules have been ordered

ADC 25/11

4) The files referred to in the margin :-

Ch 167 of 15. Serials 155 (Flag C)

~~Ch 319 of 12 Serials (142) (Flag D)~~

Do — (344) Flag E)

ch. 87 of 13. Serials (1504) (Flag F)

Do — (588) (Flag G)

~~Do — (9440) (Flag H)~~

are put up as per orders

Submitted.

dt 26/11/19

ADC 26/11

5) This file was sent to me after 4.20 PM today with a delay of 6 days. No ~~note~~ doesn't show if any fees above Rs 16 were sanctioned in any of the above cases. The reference should be noted & complied by the C.O in future. This is a case in which there

G. R. S. III-2]

General and Revenue Secretariat.

Ct. File No. 75 of 1919.

Serial No.

...case shd have been remunerative worked up as complete to me in person as the memo. refers to the Counsel.

D. 1/11
26/11

(5 (misc) 9.III)

(6)

W.M. Cts 319-12 Sls 3 & 4, the Public Prosecutor demanded Rs 200/- for conducting Cr. Ap. no 86 of 1912-13 on behalf of Government and appearing before the Court for only 2 days. As Government were pleased to sanction his bill for Rs 100/- in consideration of the Import of the Case.

Flag E

(2) In Cts 167-15 (165), Mr. K. Chandrasekhara Advocate, whose services were engaged on behalf of Government in mys. Sessions Case no 5 of 14-15 submitted a bill for Rs 500/- for putting his appearance for 9 days in the whole and his claim was settled to Rs 350/- by Government, on the same Consideration.

Flag C

(3) In Cts. 87-13 (164) the alternative claim for a consolidated sum of Rs 3000/- was sanctioned by Government to Mr. M.C. Rangaiyengar for conducting the Kannegan riot Case.

Flag F & S

7) The ordinary rate of fees for engaging Public Prosecutors to conduct prosecutions in the Courts of ~~the Sessions Judges~~ Court is given in Rule 7(3) in G.O. no 1932-85 J - 137 of 02 & 03 dt 16th March 1904.

Flag W II

Submitted
9/11/19

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat.

Cr File No. 75 of 1909.

× H. W. para 7

Serial No.

8) The Govt. proceeds for a payment of Rs: 16/ per day to the Pub: Prosr & Rs: 25/ per day to the Govt Advocate. The Pub: Prosr refuses to accept the engagement for less than Rs: 50/ per day exclusive of T. A.

The accused are stated to be wealthy persons & it is reported that the best advocates, will be engaged to defend them.

9) The Dist Magte has not stated before whom the cases are pending. It is understood that they are pending before the Assistant Magte of Chintamani & Mulabagal, and considering the great importance of these cases it is a point for consideration whether steps may not be taken to have the cases transfd to the file of the Dist Magte or any other first class Magte on the Kolar Dist. The Assistant Magtes may not perhaps be able to give adequate punishment to the accused persons.

10) There is a first class Magistrate at Chintamani & another first class Magte at Chickaballapur. If the

8063
8193 (5

G. R. S. III-2]

General and Revenue Secretariat. | ch File No. 75 of 1919

Serial No.

cases are to be tried by a first class magte, calls the Govt Advocate who has also studied the case in connection with the question of extradition & may perhaps be asked to conduct the cases. It seems to be very necessary to make every possible arrangement for the successful prosecn of these cases since a conviction is likely to have great moral effect on all those who are engaged in the nefarious trade in Mysore as well as in the adjoining British Talugs.

11) If the above view is accepted, the D.C.P. may perhaps be asked to instruct the D.S.P. to arrange to apply for a transfer of the cases from the Courts of the Additional magtes.

12) As an alternative, a draft sanction on the recommendation of the DC might also put up for consideration.

Subn for orders

D. M. 29/11

2654 30-11-19

13) The Public Prosecutor keeps a (pvt servant, it is not open to Govt to appoint an engagement from the

NOTE—Contn. sheet.

8193 6

General and Revenue Secretariat. | C 5 File No. 75 of 1919.

Serial No.

post and demand his own person as if he was a private prisoner. His conduct should be regarded as dictated by his own terms. His conduct may be noted and his Majesty's State may be asked to make his own arrangements for his conduct & his prosecution.

Sd/-
3/12/19

14) Draft G'vay
D. m.
4/12

15) Draft sibd for approval
Sd/-
4/12

D. m.
4/12

2750
5-12-19

II Member -

16) The Com. munshi may receive in this form & can order. The draft G.O. as noted may receive Hon'ble Member's orders
Public Prosecutor & I.G.P.
5/12/19

17) The Under Sec. to G.P. should be noted in the Confidential branch.

Sd/-

18) Draft
D. m.
6/12

H. R. S. III-2]

8193 7

General and Revenue Secretariat. | File No. 75 of 1919

Serial No.

19) Resolved. If approved the draft G.O as revised by the Member will be issued, please see orders above.

8/12

8/12

5 To the Dist Magistrate, Kolar & the D.M.S. of other Dists

I.G of Police, Public Prosecutors of Bangalore, Mysore,

Shimoga Division.

No. G. 13523-34 dy 10th December 19

States that the Public Prosecutor is not at liberty to refuse an engagement from the Govt & he should make a representation to Govt in a complicated case leaving the question of remuneration to Govt, the D.M of Kolar is authorised to make local arrangements for the conduct of ~~Sandal~~ case.

To the Supdt, Confidential Branch forwarding ~~redacted~~ D Members order in para 1) above and returning the file.

23/12

12/12

PROTECTION BRANCH 13 DEC 1919

NOTE—Contn. sheet.

8

G. R. S. III-2]

General and Revenue Secretariat. | Ch File No. 75 of 1919.

Serial No. 8

From

The District Magistrate, Kolar District

No. R. S. C. 573 of 18-19 & 3rd Jan. 1920 Rec'd on 6-1-20

States that Mr. P. Srinivasachar, a local Pleader, has been selected to conduct the Prosecution in the Sandalwood Theft Case in Mulbagal & Chintamani Taluks, after Consulting with the District Superintendent of Police & that he demands a fee of Rs 150/- in each and requests Government sanction for his engagement.

3330/15.1.20

The file in question — Ch 75-19 — has been linked to the Ch file dealing with the question of the Public Prosecutor, Bangalore Division, & is submitted to the Second Member of Council.

Submitted for orders.

9/11/1920 D. M. 13/1

II Member

~~Why should we~~

~~Agreed.~~

Another Public Prosecutor has been lately appd. If he may be asked to conduct this case & if he does not already engaged his services? Mr. D. Srinivasa Rao. 21/1

Draft Memo to-day by 3 p.m. D. M. 22/1

Rd 22/1

NOTE—Contn. sheet.

1.2285
13/53

9

G. R. S. III-2]

General and Revenue Secretariat. | Ch File No. 75 of 1919

	Serial No.	
Recd at 2-20 P.M. 23/1.		Submitted with a draft as proposed
		R 2-30 P.M. 23/1
		Mahadeva Iyer D.M. 23/1
	9	To The District Magistrate, Kolar. No. G. 16927 dy 23rd January 1920. Directs that Mr. C. Narayanaswami Naidu Prosecutor, Bangalore division may be asked to conduct the prosecution work.
	10	From, The District Magistrate, Kolar District. No. Rep. S.C. 573/18-19 dy 23-1-1920 Recd 26-1-1920 Requests early orders in the matter of engaging Mr. D. Srinivasa Char, Pleader, to conduct the Prosecution in the Chantamani & Mulbagal Sandalwood Theft Cases. Orders are already passed (Please vide Serial 9 in this file) & there seems no action to be necessary now. Submitted for orders (a draft is put as per oral instructions.
		R 26-1-1920
		Iyer D.M. 31/1

G. R. S. III-2]

13753

General and Revenue Secretariat.	Ch File No. 75 of 1919.
Serial No.	
11	To The Deputy District Magistrate, Kolar. No. 1774 o Dt. 2nd February 1920. Invites his attention to G.O No. G. 16927 Dt 23rd January 1920.

19/2

9 MAR 1920

11

Office of the Deputy Commissioner,

Kolar District.

Dated Kolar, the 17th November 1919. DIARY No 8063.

Rye 573-1919

10-15
SECTION cs
FILE No. 75-19
SERIAL No. 3

From

Md. Zahiruddin Mecci, Esquire, B.A.,
Deputy Commissioner, Kolar District.

To

C. S. Balasundaram Iyer, Esquire, B.A.,
Chief Secretary to the Government of
His Highness the Maharaja of Mysore,
Bangalore.

Sir,

With reference to Government Proceedings No:G.8885-6 Cts. 75-19-2 dated 18th October 1919, directing that the Public Prosecutor, Bangalore Division, shall conduct the prosecution on behalf of Government in the Chintamani and Mulbagal - Sandal wood theft cases, I have the honor to forward herewith an extract from letter dated 9th instant, from the Public Pro-secutor in which he demands fees at not less than Rs.50/-per day, plus the usual travelling allowances and batta for the conduct of these cases.

File re: these cases has been linked to present file.

The object in securing the services of the Public Prosecutor is to see that the cases which are of an unusually important nature are properly and successfully conducted. The accused persons in the cases are wealthy and are likely to be defended by able counsel from Bangalore or Madras. It also seems to be very necessary to make every attempt to bring the cases te a successful issue in consideration of the moral effect it would exercise in future. It is therefore advisable to place

GPB—30,000—17-9-15

D. 5457.

19

From

The Deputy Commissioner,
Kolar District.

13303

To

The Chief Secretary to the Government
of His Highness the Maharaja of Mysore
Bangalore.

Dated the 17th November 1919.

Despatched

Received

General No. A 5713

No.

Enclosure No. 15 A

Subject.

Recommending that fees at Rs. 50/- a day with the usual travelling allowance may be allowed to the Public Prosecutor Bangalore Division to conduct prosecution on behalf of Government in Sandalwood theft cases of Chintamani and Kulbagal.

INDIA OFFICE
INFORMATION BRANCH.
PROTECTION BRANCH.
21 NOV 1919

12

the cases in capable hands. But while the services of the Public Prosecutor are essential for the conduct of the prosecution in these cases, he represents to me that he can take them up only at a considerable sacrifice. He has to be absent from his usual place of business for the sake of these cases alone and he writes to me that the rate of Rs.16/- usually allowed to him by Government would not be an adequate remmuneration for him. I consider therefore that in view of the importance of the cases and the sacrifice involved, the Public Prosecutor may be allowed fees at Rs.50/- per day which according to what he writes to me is only half the rate usually demanded by him for engagements in the Moffusil. The usual Travelling allowance may also be allowed to him in addition.

I request you therefore to be so good as to obtain the sanction of Government for these rates at a very early date.

I have the honor to be,

Sir,

Your most obedient servant,

M.A. Srinivasa

Treasury Assistant Commissioner,
For Deputy Commissioner,
Kolar District.
(absent from Station.)

Letter dated 9th November 1919, from the Public Prosecutor, Balepete, Bangalore City to the District Magistrate, Kolar District.

---

x x x x x
z x x x
x x x x x

I do not accept engagement in the Moffusil in Criminal cases unless parties are prepared to pay Rs.100/- per day, plus the charges for travelling and food. It is impossible for me to accept the engagements at Rs.16/- per day according to the rules of Government. The two cases will be taken up from day to day and a certain stage will be ~~pushe~~ reached before adjourning for another stage. Unless you are pleased to get the sanction of Government to pay me at Rs.50/- per day plus the usual travelling charges and batta. If Government are not willing to accede to these terms, you will kindly arrange to engage somebody else.

x x x x
x x x x x
x x x x

----:oOo:----

"E x t r a c t"

For Deputy Commissioner,
Kolar District.

14

G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

C.

8193.

POSTS TELEGRAPHS

NOTICE.

This form must accompany any inquiry made respecting this Telegram.

Charges to pay.

Rs.	As.
1	

Office Stamp.

CH

75 4

24 NOV 19

PROTECTION BRANCH. 24 NOV 1919

Handed in at (Office of Origin)	Date.	Hour.	Minute.	Service Instructions.
Kalar	24	13	-	

Recd. here at 13 .14 M.

TO

Jensen Banerjee

Request early orders my number 573 dated 15. inst fees public prosecutions zemindaliwood cases

= District magistrate

N.B.—The name of the Sender, if telegraphed, is written after the words

Lal Chand & Sons.—3410—4-9-15—2,65,000 Bks. (Indt. III)

N.B. -Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

15

G.R.S. VI-71]

SUBJECT Sanctioning the recommendations of the Dy Commissioner Kolar that the Public Prosecutor may be given fees at the rate of Rs 50/- per diem together with usual Travelling allowance

Diary No. of letter replied to 8063

Section Ch.
File No. 75-19
Serial No. 5

General and Revenue Secretariat
( )
, *the* 191 .

Proceedings of the Government of His Highness the Maharaja of Mysore.

Date of issue 19/12/19

Signed by Sir T. R. Ivengar

Read.—

G.O. no G. 8885-6/Ch 75-19-2 dt the 18th Oct 19 directing that the Public Prosecutor, Bangalore Division, shall Conduct the prosecution in the Chintamani and Mulbagal Sandalwood theft Cases on behalf of Government

(2) Letter no R.J.C. 573 of 18-19 dt the 17/18th Nov 19 from the District Magistrate ~~Order Thereon:— No.~~ Deputy Commissioner, Kolar District recommending that fees at Rs 50/- a day with the usual travelling allowance may be allowed to the

P.T. over.

May this be

i Printed?

ii treated as a standing order?

iii published in the Gazette English part?

iv translated?

v placed at the disposal of the press?

vi published in the Gazette Kannada part?

Public Prosecutor, Bangalore Division,
to conduct the prosecution on behalf
of Government in the said Case,
in consideration of the fact that
the Cases are of an unusually
important nature and that the
accused are likely to be defended
by able Counsel from Bangalore
or Madras.

Order thereon No
Under the circumstances,
the Government are pleased
to sanction the recommendations
of the Dy Commissioner, Kolar Dt

By order

Chief Secretary.

To

The Dy Commr, Kolar Dt.

Copy to the Public Prosecutor, Bangalore Dt.

Copied by

Examined by

Public Prosecutor has declined
to accept the suggested rates
he is paid at the rate —

just as pleased to direct
that the Public Prosecutor Bangalore
Division do conduct the prose-
cution in these cases and that the fees
that may be allowed
to him in respect of
List of enclosures.
the

the Public Prosecutor
is not at liberty to refuse
the fees allowed from time
to time and declare his own
charges. In particular cases, the
circumstances of the
particular case, it is open
to the District Magistrate
& he should make a report to Govt in
case the fees he proposes
the direction of Govt — the
Public Prosecutor
District Magistrate may make his
report in each case — which would finally be subject to
the orders of Govt —

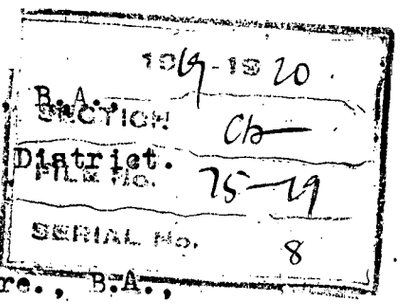
17

Office of the District Magistrate,

Kolar District,

Dated Kolar, the 3rd January 1920.

DIARY. 12285.



From

Md. Zahiruddin Mecci, Esquire., B.A.,

District Magistrate, Kolar District.

To

C. S. Balasundaram Iyer, Esquire., B.A.,

Chief Secretary to the Government of Mysore,

B a n g a l o r e.

Sir,

With reference to Government Order No.G.13523-34/Cts. 75-19-5 dated 10th December 1919, stating that arrangements may be done locally to conduct the prosecutions in the Sandalwood theft -- cases in the Mulbagal and Chintamani Taluks, I have the honor to -- state that in consultation with the District Superintendent of Police and the District Forest Officer, Kolar, I have selected Mr. T. Srinivasa Char a local Pleader to conduct the prosecution in both the cases on a fee of Rs.150/- in each. He is known to be a competent Lawyer and he would take up the cases on this fee which appears to be reasonable. I would therefore recommend that the sanction of Government may be -- kindly obtained to engage Mr. Srinivasachar on the above terms.

I have the honor to be,

S i r

Your most obedient servant,

Md Zahiruddin

District Magistrate,
Kolar District.

he

16382

191

From

The District Magistrate,
Kolar District.

To

The Chief Secretary to the
Government of Mysore,
Bangalore.

Dated 3rd January 1920.

Despatched

Received

General No. R-J-C. 5739 18-19.
No.

Enclosure No.

Recommending a fee of Rs.150/- to Mr. T. Srinivasachar, Pleader, for conducting prosecution in each of the Sandalwood theft cases of Chintamani and Mulbagal Taluks.

BRANCH.

18

G. R. S. VI—G/32]

SUBJECT.....

.....

.....

Diary No. of letter replied to... 12285

GENERAL AND REVENUE SECRETARIAT

( )

, the *191*

Date of issue..... 23/1

Signed by.....

Section C/6

File No. 75 19

Serial No. 9

No. 516927

To

The District Magistrate,

Kolar District

Sir,

With reference to your letter no. R. J. C. 5739 of-18-19 of 3rd Jan 1920. recommending the engagement ~~for~~ of M^r T. Srinivasachar, Pleader, for Conducting prosecution in each of the Sandalwood theft Cases of Chintamani & Mulbagal Taluks, I am directed to state that ~~another~~ Public Prosecutor for the Bangalore Dn has since been appointed and that he may be asked

P.T. over.

M^r C. Narayanaswami Naidu

to Conduct the prosecution in the said

Cases if the services of Mr. T. Prasachar have not already been engaged.

I have &c.

D. III
23/1
For Chief Sec.y.

23/1/16

Copy to the Public Prosecutor,
Bangalore Division.

BD

for Chief Secy

List of enclosures.

Copied by

Examined by

W D86—G.P.B.—60,000—15-11-16

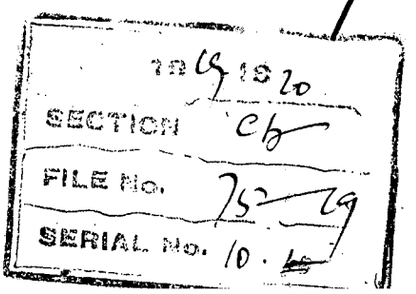
90

Office of the District Magistrate,

Kolar District.

Dated Kolar, the 23rd January 1920.

13753.



From

Md. Zahiruddin Mecci, Esquire, B.A.,

District Magistrate, Kolar District.

To

C. S. Balasundaram Iyer, Esquire, B.A.,

Chief Secretary to the Government of

His Highness the Maharaja of Mysore,

Bangalore.

Sir,

I have the honor to request early orders of Government on my letter No:R;J.C.573 of 18-19 dated 2nd/3rd January 1920, recommending the appointment of Mr. T. Srinivasa Char Pleader, to conduct Prosecution in each of the two sandalwood theft cases of Chintamani and Mulbagal Taluks on a fee of -- Rs.150/- each.

For want of a prosecuting Officer these cases are being adjourned from time to time and the District Forest Officer, represents that these frequent adjournments will prove fatal to the Forest Case.

I have the honor to be,

Sir,

Your most obedient servant,

S. Shamanna.

Treasury Assistant Commissioner,
For District Magistrate,
Kolar District.

1919

1919-1920.

From

The District Magistrate,
Kolar District.

To

The Chief Secretary to the Government of Mysore, Bangalore.

Dated the 23rd January 1920.

Despatched do

Received

General No. Reg.j.C.513

No.

Enclosure No.

Requesting early orders of Government re recommendation for the appointment of Mr. T. Srinivasaiah, to conduct Prosecutions on a fee of Rs 150/- in each of the two sandalwood theft cases of Chintamani & Mulbagal

21

G. R. S. VI—G/32]

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

GENERAL AND REVENUE SECRETARIAT

( )

, the 191 .

Date of issue 2/2

Signed by W Bin

Section Ab

File No. 75—19

Serial No. 11

No. 47760

To

The District Magistrate, Kolar Dist

Sir,

With reference to your letter no

Rep J.C. 573/18-19 & 23-1-1920 re: the

engagement of Mr. D. Srinivasachar, Pleade

to Conduct the prosecution in the Sandal-

wood Theft Case of Chintamani & Mulbag

I am directed to invite your attention

to this Office no G. 16927/Ab 75-19-9 &

23rd Jany 1920.

I have &c

D. Ry

for Chief Secy

26/1/20

Asst

29/1